

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3121

IN THE MATTER OF:

Served February 2, 1988

Application of O&R MANAGEMENT)
CORPORATION, for Special)
Authorization to Perform Charter)
Operations Pursuant to Contract --)
EPA)

Case No. CP-88-01

By application tendered for filing on January 26, 1988, and completed on January 29, 1988, O&R Management Corporation ("O&R" or "applicant") seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the United States Environmental Protection Agency ("EPA") transporting EPA employees and persons traveling on official business with EPA, together with mail, express, and baggage in the same vehicle as passengers, between Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, Va.; Fairchild Building, 499 South Capitol Street, S.W., Washington, D.C.; EPA Headquarters, Makemie and K Streets, S.W., Washington, D.C.; EPA Headquarters East, Wesley and K Streets, S.W., Washington, D.C.; L'Enfant Plaza, Washington, D.C.; and Waterside Mall West Tower, Washington, D.C.

By its terms the contract extends from February 1, 1988, to September 30, 1988, with two one-year options to renew. O&R is required to provide two 21-passenger vans to operate a shuttle between Crystal Mall, EPA Headquarters and the Fairchild Building (with drop-off upon request at L'Enfant Plaza). The shuttle will leave EPA Headquarters every thirty minutes beginning at 6:20 a.m. and leaving for its last full loop at 5:20 p.m. with abbreviated service until 6:20 p.m. O&R is also required to provide a third 21-passenger van to operate a shuttle between the Fairchild Building and EPA Headquarters East. That shuttle will operate at regular intervals between 6:45 a.m. and 5:30 p.m. Between the hours of 4:00 p.m. and 6:00 p.m., a third shuttle will be conducted by O&R in a 15-passenger van. That shuttle will be limited to service between Waterside Mall West Tower and L'Enfant Plaza. O&R will dedicate to the EPA contract service two 1986 and one 1988 21-passenger vehicles, one 15-passenger van, and back-up equipment. Applicant has on file with the Commission an approved insurance certificate covering any vehicle it operates. The contract also requires O&R to provide other specified services that do not constitute the for-hire transportation of passengers by O&R.

O&R submitted the required financial data, including a projected operating statement showing contract revenues of \$260,000, for the first 12 months of operations resulting in \$31,467 net income after taxes. Applicant holds WMATC Certificate No. 128 authorizing specified charter operations pursuant to contract with Montgomery County, Md. Applicant's president certifies that he and all officers of O&R are familiar with the Compact and the Commission's requirements thereunder, and that O&R is not the subject of any past or present investigations of its fitness. */

EPA's Chief of Transportation Management submitted a notarized statement that EPA has awarded this contract to applicant; that it involves transportation of agency employees on official business; that EPA has found O&R fully fit to provide the service; and that about 568 persons a day will be transported. The statement further indicates that O&R has provided a management service to EPA for the past four years, for which EPA provided vehicles "licensed and tagged by" EPA. According to EPA, this is how the service was previously provided.

Inasmuch as the proposed contract is for transportation of government employees pursuant to contract with their employer between points within the Metropolitan District for a period in excess of 181 days, the application appears amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979. Consequently, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn, and notarized, and must contain all evidence and argument upon which the protestant would rely.

THEREFORE, IT IS ORDERED:

1. That O&R Management Corporation is hereby directed to publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission no later than Tuesday, February 9, 1988.

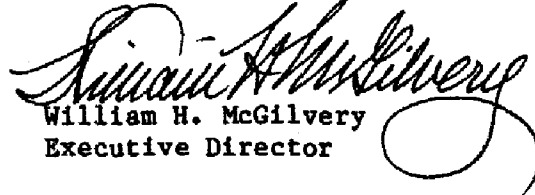
2. That applicant shall file with the Commission no later than Friday, February 19, 1988, the following: (a) an affidavit of publication (b) an affidavit that the vehicles to be used in the proposed service have been identified in accordance with Regulation No. 70-10, and (c) evidence that the vehicles to be used in the proposed service have been inspected and approved for transportation-for-hire operations in the jurisdiction in which they are licensed.

3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, 1625 I Street, N.W., Suite

*/ It is noted that on January 29, 1988, Transcontinental Enterprises, Inc., a company that also bid on this contract, filed with the Commission a formal complaint against O&R Management Corporation. This matter has been designated Case No. FC-88-01.

316, Washington, D.C. 20006, no later than Friday, February 19, 1988, and shall simultaneously serve a copy of such protest on O&R Management Corporation, 681 Southlawn Lane, Rockville, Md. 20850.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

